**THE HON'BLE SRI JUSTICE P.S.NARAYANA**

**Writ Petition No.20655 of 2006**

**Dated:29.09.2006**

Between:

A.G.K.Raju S/o A.V.S.Raju
R/o 8-2-248/P/A/2, Road No.3,
Banjara Hills, Hyderabad.

**..... PETITIONER**

And:

The Municipal Corporation of Hyderabad,
represented by its Comissioner, Tankbund,
Hyderabad and another.

**.....RESPONDENTS**

**THE HON'BLE SRI JUSTICE P.S.NARAYANA**

**Writ Petition No.20655 of 2006**

**ORDER:**

Heard the counsel.

2. The matter is coming up for admission today. The writ petition is filed for a writ of Mandamus declaring the action of the respondents in refusing to receive the application in Form Appendix-A under Section 428 of the Municipal Corporation Act read with Byelaw No.32 of the Municipal Corporation Building

Byelaws, 1981, submitted by the petitioner to construct a building in the premises bearing No.8-2-248/P/A/2, situated at Road No.3, Banjara Hills, Hyderabad, admeasuring 1332 square yards, on the ground that no no-objection certificate from the Committee constituted by the Government for the said purpose is produced, and merely because there is an entry in the TSLR that it is Government Land, as arbitrary and illegal and contrary to the law laid down by this Court, and consequently direct the respondents to receive the building application of the petitioner and grant building permission without insisting on no-objection certificate from the Committee constituted by the Government for this purpose and without relying on the entry in TSLR.

3. Several factual details are narrated in the affidavit filed in support of this writ petition. It is needless to say that on several occasions this could held that the respondents cannot insist on no-objection certificate from the revenue authorities. It is also needless to say that this Court further held that the entries in TSLR alone cannot be criterion, and several aspects may also have to be considered while taking a decision on the application made praying for building permission.

4. In the light of the same, this Court is of the considered opinion that the writ petition be disposed of directing the respondents to receive the application of the petitioner for building permission without insisting on no-objection certificate, and also to further consider the same in accordance with law on the strength of the other material relating to title, which maybe produced, but not basing on the entries in TSLR alone, as already observed by this Court.

5. The writ petition is accordingly disposed of. There shall be no order as to costs.

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29.09.2006

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